

**APPENDIX 2:**  
**BUTTE COUNTY ORDINANCE OVERVIEW**

**Ordinance No. 3470**

ORDINANCE NO. 3470

ORDINANCE ADDING ARTICLE XIII.5 TO THE BUTTE COUNTY CODE  
ESTABLISHING THE CHILDREN AND FAMILIES FIRST COMMISSION

The Board of Supervisors of the County of Butte ordains as follows:

SECTION I.

A new article (commencing with section 2-100.00 et seq) is hereby added to the Butte County Code to  
read as follows:

ARTICLE XIII.5

CHILDREN AND FAMILIES FIRST COMMISSION

2-100.00 Established - authority.

2-100.20 Purpose.

2-100.30. Membership.

2-100.40. Term of office.

2-100.50. Establishment of trust fund.

2-100.60. Commission staff.

2-100.70. Power and duties.

2-100.80. Advisory committees.

2.100.00 Established - authority.

The Children and Families First Commission is established under the authority  
of California Health and Safety Code Section 130140.

2.100.20. Purpose.

The Children and Families First Commission is part of a State-wide effort to  
create a seamless system of integrated and comprehensive programs and services, and  
a funding base for the system with program and financial accountability that will:

1           A. Establish community based programs to provide parental education and  
2 family support services relevant to effective childhood development. These services  
3 shall include, but not be limited to, education and skills training in nurturing and in  
4 avoidance of tobacco, drugs, and alcohol during pregnancy. Emphasis shall be on  
5 services not provided by existing programs and on the consolidation of existing programs  
6 and new services (provided pursuant to the California Children and Families First Act  
7 of 1998), into an integrated system from the consumer's perspective.

8           B. Educate the public, using mass media, on the importance and the benefits of  
9 nurturing, health care, family support, and child care; and inform involved professionals  
10 and the general public about programs that focus on early childhood development.

11           C. Educate the public using mass media, on the dangers caused by smoking and  
12 other tobacco use by pregnant women to themselves and to infants and young children,  
13 and the dangers of secondhand smoke.

14           D. Encourage pregnant women and parents of young children to quit smoking.  
15 2.100.30 Membership.

16           A. The Commission shall consist of nine member appointed on an at-large basis  
17 by the Board of Supervisors.

18           B. The nine voting members shall include:

- 19               1. One member of the Butte County Board of Supervisors.
- 20               2. The Director of the Butte County Public Health Department, or  
21 his or her designee;
- 22               3. The Director of the Butte County Social Welfare Department, or  
23 his or her designee;
- 24               4. Six members selected from among the following:
  - 25                   a. Those recipients of project services included in the  
26 County's Strategic Plan;
  - 27                   b. Educators specializing in early childhood development;
  - 28                   c. Representatives of a local child care resource or referral

- 1 agency;
- 2 d. A local child care coordinating group.
- 3 e. Representatives of a local organization for prevention or
- 4 early intervention for families at risk;
- 5 f. Representatives of community-based organizations that
- 6 have the goal of promoting nurturing and early childhood
- 7 development;
- 8 g. Representatives of local school districts;
- 9 h. The County Health Officer;
- 10 i. Representatives of local medical, pediatric, or obstetric
- 11 associations or societies.

12 C. Commissioners shall be appointed by a majority vote of the Board of

13 Supervisors. Any commission member may be removed from office by a majority vote

14 of the Board of Supervisors favoring such removal.

15 D. Commissioners may receive a reasonable per diem payment for attending

16 Commission meetings at rates established by the Board of Supervisors. Commission

17 members may also receive reimbursement for their actual expenses incurred in attending

18 Commission-related functions at such rates as are payable to Butte County employees.

19 2-100.40. Term of office.

20 Each at-large member shall serve for a term of two years, except for the member

21 of the Board of Supervisors who shall serve a term of one year. The terms of the

22 members other than the County Supervisor shall be staggered with two members serving

23 terms commencing on April 1st of even-numbered years, and the other two members

24 serving terms commencing on April 1st of off-numbered years, with such staggering

25 determined by lot. At the conclusion of a term, a member may be appointed to a new

26 term.

27 2-100.50. Establishment of trust fund.

28 There is established a trust fund to be known as the Children and Families First

1 Trust Fund.

2 2-100.60. Commission staff.

3 The Director of the Butte County Public Health Department, or his or her  
4 designee, shall provide staff and administrative support for the commission, as well as  
5 advise and assist the commission on all matters within the commissions jurisdiction.

6 2-100.70. Powers and duties.

7 The commission shall exercise the following powers and duties:

8 A. Develop a County Strategic Plan for the support and improvement of early  
9 childhood development within the County, and submit the County Strategic Plan, and  
10 any future revision thereto, to the Board of Supervisors for its review prior to the Plan's  
11 adoption and submission to the California Children and Families First Commission.

12 1. The County Strategic Plan shall be consistent with, and in  
13 furtherance of the purposes of the California Children and  
14 Families First Act (Health and Safety Code Section 130100 et  
15 seq.), and any guidelines adopted pursuant to subdivision (b) of  
16 Health and Safety Code Section 130125.

17 2. The County Strategic Plan shall include, at a minimum, a  
18 description of the programs, services, and projects proposed to be  
19 provided, sponsored, or facilitated; and a description of how  
20 measurable outcomes of such programs, services, and projects  
21 will be determined by the Commission using appropriate reliable  
22 indicators. The County Strategic Plan shall describe how  
23 program, services, and projects relating to early childhood  
24 development within the County will be integrated into a  
25 consumer-oriented and easily accessible system.

26 3. The Commission shall, on at least an annual basis, periodically  
27 review the County Strategic Plan and recommend those revisions  
28 as may be necessary or appropriate. The Commission shall

conduct at least one public hearing prior to adopting any recommendation to revise the Plan.

B. Submit a proposed budget to implement the County Strategic Plan to the Board of Supervisors for its review and approval. The budget recommendations shall be considered by the Board of Supervisors during final budget hearings.

C. Conduct at least one public hearing concerning the County Strategic Plan and budget prior to sending its recommendation to the Board of Supervisors.

D. The Commission shall review and adopt an annual audit and report pursuant to Health and Safety Code Section 130150. The written report shall assess the County's performance during the preceding fiscal year, including, at a minimum, the manner in which funds were expended, the progress toward and the achievement of program goals and objectives, and the measurement of specific outcomes through appropriate reliable indicators. The Commission shall submit the annual audit and report to the Board of Supervisors for its review, and conduct at least one public hearing prior to adopting the audit and report. After adopting the annual audit and report, the Commission shall transmit them to the California Children and Families First Commission.

E. Annually conduct at least one public hearing on the report prepared by the California Children and Families First Commission pursuant to subdivision (b) of Health and Safety Code Section 130150.

2-100.80. Advisory committees.

The Commission may establish one or more advisory committees to provide technical and professional expertise and support to accomplish the purposes of this Chapter.

## SECTION II

This ordinance shall take effect immediately for the preservation of the public peace, health and safety. The facts constituting the urgency are that Proposition 10 was enacted by the voters of the State of California on November 10, 1998. While collection of the State surtax on cigarettes and other tobacco

1 products begins on January 1, 1999, the County may not be eligible to accrue funds unless it has adopted  
2 an implementing ordinance by that same date. There is currently no statewide guidance as to the  
3 interpretation of the measure's provisions. December 15, 1998, is the last date that the Board of  
4 Supervisors is scheduled to meet for the year, and is thus the last date that the Board could take to adopt  
5 this ordinance and have it take effect prior to January 1, 1999.

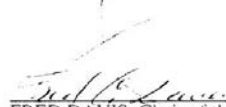
6 PASSED AND ADOPTED by the Board of Supervisors of the County of Butte, State of  
7 California, on the 15th day of December, 1998, by the following vote:

8  
9 AYES: Supervisors Beeler, Dolan, Roux, Josiassen and Chair Davis

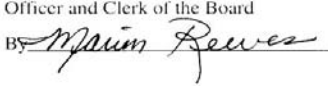
10 NOES: None

11 ABSENT: None

12 NOT VOTING: None

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14   
FRED DAVIS, Chair of the  
Butte County Board of Supervisors

15 ATTEST:  
16 JOHN S. BLACKLOCK  
Officer and Clerk of the Board

17 By   
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19 PROPOSED  
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